

one on the elevated platform directing questions down at them.

It so happens that I have not, nor have I ever, sought to serve on the Ethics Committee of the U.S. Senate. I do not like judging other people. I have never sought to serve on that committee or any other investigative committee that is going after people, to get people. Some of that is necessary. I believe that BOB BYRD is right in saying we have a constitutional responsibility to do that. But in so doing—and it has been going on and on every day, almost of every week of every month, and certainly of every year since I have served in this body—some people, a group of people, have set up themselves as judge and jury. They use the taxpayers' money of the United States of America to make accusations, to carry on investigations, some of them legitimate. But we wonder why the people of the United States distrust us.

I saw a bumper sticker on a car in Nebraska the other day that said, "I love my country, but I don't trust my Government." Well, is it any wonder what we do to ourselves? We have become the conspirators, whether we recognize or realize it or not. And the feeling of the people of the United States with regard to their elected public officials, most of whom I can certify are honest, God-fearing people trying to do the right thing, whether they have Democrat or Republican behind their names, we wonder why we are not more respected. Because of what you see on the floor of the U.S. Senate tonight.

I am not conspiratorial by nature, and I do not like what is going on. In addition to the committee of jurisdiction that seems to be on the tube every time I turn on C—SPAN, and I see mean-looking lawyers peering down, as if they were judges, at these people behind them, kind of like the Christians in the lion's den in Rome—I see that, and I do not like that either because I think you can make inquiry of people as a U.S. Senator in a fashion that does not say, "It is us against them." That is what is going on here.

The costs of this, as I understand it, are over \$1 million for the committee and up to \$15 million or more for the special prosecutor.

The special prosecutor has a job to do, and I voted the money to have the special prosecutor check into Whitewater. I guess what I am saying, Mr. President, is that somewhere sometime enough is enough.

Some—not this Senator—some have said that the chairman of the Banking Committee is doing this primarily because he is the chairman of the Republican Senatorial Campaign Committee, which is designed to collect money and make a lot of hoopla to try and elect Republicans. Well, that is the job of the Republican Senatorial Campaign Committee, and we have a Member on this side who does the same thing.

But some have said—not this Senator—some have said one of the main reasons that the chairman of the Bank-

ing Committee, who is simultaneously chairman of the Republican Senatorial Campaign Committee, is doing this and wants more taxpayer money to continue the investigation forever and forever and forever, as near as I can tell, is he wants to continue it at least until after the November elections, because some have said—not this Senator—that the chairman of the Banking Committee wants to do this for political reasons. He thinks it will help elect Republicans.

Now remember, I did not say that, but I guess other people have. Whether that is true or not, I voted for the money for the special prosecutor to investigate Whitewater. I voted in support of and provided a vote to provide the money to the Banking Committee to do their investigation. I had assumed that it would not take longer than it took to investigate other matters, such as Iran-Contra, but it has for whatever reason. Now the chairman of the Banking Committee wishes to go on and on and on.

I simply say that I do not believe this committee going on and on and on, spending more of the taxpayers' money is going to amount to any more than it has already. The special prosecutor is continuing, the special prosecutor is the place to bring charges if anyone before the Banking Committee has committed perjury, as was indicated by the dog-and-pony show tonight. If they committed perjury, they should be prosecuted, and if they are found guilty, they should stand whatever the sentence in court should be.

I simply say that I think it is far past time for this committee to have made its report, but in the good nature that I think has always embodied me, I suggested to the ranking Democrat, the Senator from Maryland, who is on the floor, what, 2 months ago, 3 months ago—I do not know what it was—when the chairman of the Banking Committee was beginning to talk about the necessity to extend this date beyond the expiration date of yesterday and wanted \$200,000 or \$300,000 more of taxpayers' money to get the job done, I said, "I'm not for that at all. I think they should be called upon to wind up their inquiry and make their report to the U.S. Senate."

But I said in the spirit of compromise, since the chairman of the Banking Committee says he wants more time and he needs more time, I would, against my better judgment say, "All right, let's give them another 30 days, until the 28th of March, and \$90,000," or whatever it takes to wind this up and then set a date for the report no later than 30 days after that, so that we can get on with this matter. I remember very well the ranking Democrat at that time thanking me for that suggestion.

We have now come to the place, while I can assure the Senate that the vast majority of the Democrats in this body—and there are 47 of us—the vast majority of them are against any ex-

tension period beyond the expiration date of the committee of yesterday.

But it has been talked over and it was agreed, in an effort to come to some kind of a compromise, that we do not want to filibuster, we do not think a filibuster is necessary.

Following up on what Senator DOMENICI suggested on the floor of the Senate, why do we not have the majority leader, Senator DOLE, and the minority leader, Senator DASCHLE, get together tomorrow and make a decision, a reasonable decision, along the lines that Senator DOLE suggested back under the Iran-Contra affair?

At that time, the Democrats were the conspirators. They were the ones who wanted to continue this discussion. Senator DOLE suggested that we should not go on with Iran-Contra forever. It was causing problems for the President of the United States who, at that time, was a Republican. Believe it or not, Mr. President, the Democratic majority at that time said, "Senator DOLE, you're right. You're making sense. You're trying to be reasonable, Senator DOLE."

What we are asking for at the present time, and taking up on the public expression and request by my friend and colleague from New Mexico, it is time for the two leaders to get together. It is time to end the dog-and-pony show. It is time to come to a definite timeframe—30 days, *x* amount of money, whatever is necessary—to wind up this investigation, and then anything further that is done beyond that, as it should be, would be accomplished by the special prosecutor.

If we end the investigation by the Banking Committee tonight, the special prosecutor is still there with full subpoena powers and the authority of a prosecutor to bring charges for anything that he thinks needs to be raised in the courts.

I simply say, Mr. President, that I hope we will take the wise counsel offered by the Senator from New Mexico, my friend, Senator DOMENICI, and resolve this matter tomorrow and get on with the business of the U.S. Senate.

I thank the Chair, and I yield the floor.

EXTENDING WHITEWATER INVESTIGATION

Ms. MIKULSKI. Mr. President, yesterday we returned for the last session of the 104th Congress to complete the Nation's business. We returned so that we could attempt to reach a bipartisan agreement on welfare reform. We returned to continue debating the future of Medicare. We returned so we could end the budget impasse. We returned so that we could face the legislative challenges before us and not let the American people down.

I'm sad to say, we are not doing these important things. We are not serving the American people by working on the things that affect their day to day lives. Instead, we are debating whether

to extend the Senate Committee's investigation into Whitewater indefinitely and if an additional \$600,000 for the investigation should be provided.

I oppose this attempt to extend the hearings indefinitely. The Senate has already spent \$950,000 on 277 days of Whitewater investigation, heard from more than 100 witnesses, and collected more than 45,000 pages of documents. Enough is enough.

Let me tell you what I support. I support Senator DASCHLE's proposal to complete the task at hand by extending the hearing until April 3, 1996, with a final report due on May 10, 1996. I also support letting the Independent Counsel do his work. Three federal judges have given him the job of investigating Whitewater and all related matters. He has more than 130 staff members helping him. There is no time limit or spending cap on his investigation, so he will be able to gather facts in a systematic and unencumbered way and to investigate Whitewater thoroughly. The results of his investigation will be made public. If the Independent Counsel finds wrongdoing, he has the authority to bring any lawbreakers to justice. By permitting him to do what none of us can do and what none of us should be doing, we will get a complete rendering of the facts. That's the right thing to do. That's what I support.

What I don't support is using Senate committees to play Presidential politics. The goal of this proposed extension is very clear. It's about Presidential politics. And, it's about vilifying Mrs. Clinton in the name of Presidential politics. This attack on her is unprecedented. She has voluntarily answered questions on four occasions from the Grand jury and on three occasions in interviews for the Grand jury, numerous written questions, and she has been cooperative with the committee. I know her personally. Like many others across the Nation, I have deep admiration and respect for her.

Like so many other American women she has struggled to meet the demands of both a career and a family. She is dedicated to her family and she is a dedicated advocate for children. For more than 25 years she worked on behalf of children and families which she discusses in her book "It Takes a Village". In "Village", Mrs. Clinton shares with the public her passion, conviction, and insight, gleaned from her experience as a mother, daughter, advocate, attorney, and First Lady.

Mrs. Clinton has truly inspired a generation of men, women and children. She has worked to raise her own family and she has worked to protect a generation of children. So I don't support extending the Senate committee's investigation into Whitewater.

We should not ask taxpayers to continue subsidizing this round of Presidential politics and this attack on Mrs. Clinton. Instead, I say, let's get on with the business of this country and its citizens. The Senate committee should finish its investigation imme-

diately, write its report, and let the American people hear what the committee has to say. I believe the Senate should get back to the job we were elected to do. Get back to meeting the day to day needs of the American people. The American public deserves our full attention.

WHITEWATER

Mr. SARBANES. Mr. President, I listened with great interest while my colleague, the distinguished Senator from New York, and his colleagues went on for some length, and I do not intend to match that length at this hour. I do not think that is really necessary, but there are some matters that I think ought to be reviewed with respect to this Whitewater matter.

First, a great deal is being made about these documents that appear, as though it is a nefarious plot. I understand that people like to attach sinister intentions, but the explanation for it may be far more innocent than that. And I really want to include in the RECORD an article that appeared a few weeks ago in the New York Times by Sidney Herman, a former partner of Kenneth Starr. Let me quote from it:

Documents that are relevant to an investigation are found in an unexpected place 6 months after they were first sought. A shocking development? Absolutely not. In most major pieces of litigation, files turn up late. One side or the other always thinks of making something of the late appearance. But these lawyers know the truth. It could just as easily happen to them. Despite diligent searches, important papers in large organizations are always turning up after the initial and follow-up searches.

Later on he goes on to say:

My former partner, Kenneth Starr, knows all this. As independent counsel in the Whitewater investigation, he will take it into account. But the American people have no reason to know that this is a normal occurrence. It is not part of their every-day experience. Reporters really do not have any reason to know this either, or they may know and simply choose to ignore it.

Now, Mr. President, I ask unanimous consent that article be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. I place it in the RECORD simply to make the point, as the article does, that the appearance of documents a considerable period of time after they have been requested is, in fact, not a shocking development. This goes on all the time, as anyone involved in litigation or document requests well knows.

In each instance, of course, one has to judge the explanation for the late-appearing documents with respect to their plausibility, but as I indicated when we were discussing Mr. Gearan earlier, his explanation, I thought, was very straightforward. He said by mistake these had been packed into a box he took with him to the Peace Corps. He thought they had remained at the

White House where the White House counsel could go through them and provide responsive matters to the committee. It was only by chance that these documents, then, were later discovered in that box that had been sent over to the Peace Corps and then were put back into the loop so that they eventually came to the committee.

A great to-do is made of the fact that if you have a fixed date for ending, you will not get the documents, and that to-do is made over documents that we have gotten. I find it incredible—in other words, these documents are furnished to us and then an argument is made if you have a fixed date—as we did, the date of February 29—you will not get the documents. I do not know how you square the two. We get the documents. They are provided to us. Then the assertion is made if you have a fixed date you will not get the documents. We have a fixed date. We got the documents. The people provided them to us in response to the request. I do not understand that argument. Obviously, logically, it does not hold together.

Now, the issue here is essentially the difference between the request of my colleague from New York, Chairman D'AMATO, for an open-ended extension of this inquiry, and the proposal put forth by Senator DASCHLE for an extension until April 3 for hearings and until May 10 to file the report.

When this resolution was first passed, it was passed on the premise that there would be an ending date, February 29, and the rationale advanced in part for that ending date was to keep this matter out of the Presidential election year and therefore avoid the politicizing of these hearings and the erosion of any public confidence in the hearings because of a perception that they were being conducted for political reasons.

I listened with some amazement earlier as the Washington Post editorial was cited by my colleagues on the other side of the aisle in support of their position for an unlimited extension. Now, that is the position, and I recognize it, of the New York Times. I recognize that the New York Times' posture is for an indefinite extension; but the Washington Post, which was also cited in support, said today, very clearly, "The Senate should require the committee to complete its work, produce a final report by a fixed date."

Now, they question the dates that we put forward as perhaps being too short a period. They said a limited extension makes sense but an unreasonably short deadline does not. They said 5 weeks may not be enough time. They suggested maybe there should be a little extra time, running in the range of through April or early May. In other words, a few more weeks beyond what the leader has proposed in the alternative, which my distinguished friend from Nebraska has suggested was a possible way of approaching this matter.